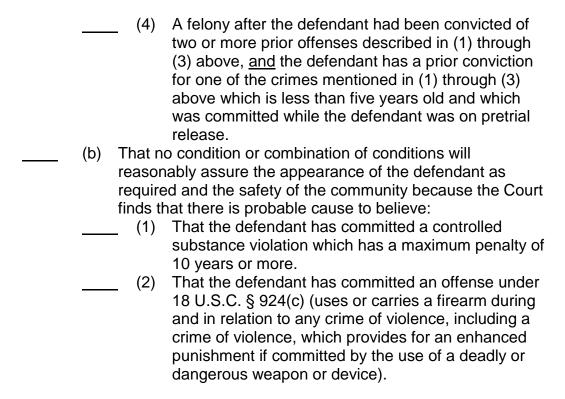
## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	
Plaintiff,	8:15CR186
vs. RUBEN HERNANDEZ-ARELLANO,	DETENTION ORDER PENDING TRIAL
Defendant.	
A. Order For Detention  After conducting a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (I).  X After the defendant waived a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).	
B. Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.	
maximum penalty of <u>2</u> (b) The offense is a crime (c) The offense involves a	ces Report, and includes the following: of the offense charged: entry is a serious crime and carries a 2 years imprisonment. e of violence. a narcotic drug. a large amount of controlled substances,
<del></del> ` ' /	against the defendant is high. tics of the defendant including:

	The defendant appears to have a mental condition
	which may affect whether the defendant will appear.
	The defendant has no family ties in the area.
	The defendant has no steady employment.
	The defendant has no substantial financial resources.
	The defendant is not a long time resident of the
	community.
	The defendant does not have any significant community
<del></del>	ties.
	Past conduct of the defendant:
<del></del>	The defendant has a history relating to drug abuse.
X	
	The defendant has a history relating to alcohol abuse.  The defendant has a significant prior criminal record.
<del></del>	The defendant has a prior record of failure to appear at
<del></del>	court proceedings.
(b) At the t	time of the current arrest, the defendant was on:
(0)	Probation
	Parole
<del></del>	Supervised Release
<del></del>	Release pending trial, sentence, appeal or completion of
<del></del>	sentence.
(c) Other F	-actors:
* *	The defendant is an illegal alien and is subject to
	deportation.
	The defendant is a legal alien and will be subject to
	deportation if convicted.
_X	The Bureau of Immigration and Customs Enforcement
	(BICE) has placed a detainer with the U.S. Marshal.
<u>X</u>	Other: Previous Removal 2000
X (4) The nature a	nd seriousness of the danger posed by the defendant's
release are as follow	ws: Domestic Assault Conviction 2015. Active Warrant
(2011-Douglas Cou	nty)
(5) Rebuttable F	<u>Presumptions</u>
	ne defendant should be detained, the Court also relied on
	buttable presumption(s) contained in 18 U.S.C. § 3142(e)
which the Court	t finds the defendant has not rebutted:
(a) Tha	t no condition or combination of conditions will
	sonably assure the appearance of the defendant as
•	uired and the safety of any other person and the
com	nmunity because the Court finds that the crime involves:
`	1) A crime of violence; or
(2	2) An offense for which the maximum penalty is life
	imprisonment or death; or
(;	A controlled substance violation which has a
	maximum penalty of 10 years or more; or



## D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 29<sup>th</sup> day of June, 2015.

BY THE COURT:

s/ F.A. Gossett, III United States Magistrate Judge